

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX

75 Hawthorne Street San Francisco, CA 94105

SFUND RECORDS CTR 2061714

February 6, 2004

Via Federal Express

Joel O. Darner, II, President Darner Motor Sales, Inc. for Darner Motor Sales, Inc. 837 West Main Street Mesa, AZ 85201-7105

Re: Omega Chemical Superfund Site Settlement Offer; Response Due May 7, 2004

Dear Joel O. Darner, II:

Previously, the United States Environmental Protection Agency ("U.S. EPA") sent the person or entity identified above, or a predecessor (collectively referred to in this letter as "your company or organization") a De Minimis Notice Letter discussing the potential liability of your company or organization for the ongoing remediation of the Omega Chemical Superfund Site (the "Omega Site"). Those parties who may be responsible for the waste at Superfund sites are referred to as "potentially responsible parties" or "PRPs." PRPs include individuals, businesses, governmental agencies, and other types of organizations. You may be a PRP if you are:

- 1) a current owner or operator of the Omega Site;
- 2) the former owner or operator of the Omega Site during the period of waste disposal;
- 3) a party that arranged for the treatment, disposal, or transportation of hazardous substances to the Omega Site (a "generator"); or
- 4) a party that selected the Omega Site as a place to dispose of hazardous substances and who transported these substances to the Omega Site (referred to as "transporters").

The parties receiving this letter are all believed to be "generators" of wastes disposed at the Omega Site, and therefore "potentially responsible parties" at the Omega Site.

This letter is intended to offer your company or organization the opportunity to resolve its liability for waste that was disposed of at the Omega Site. The U.S. EPA is making this offer to your company or organization on very favorable terms, due to the comparatively small quantity of waste (referred to as a "de minimis" quantity) it is responsible for having contributed to the Omega Site.

Settlement Cost Summary Darner Motor Sales, Inc. for DARNER CHRYSLER

The payment required to join this settlement will depend upon the settlement option chosen. Please see the offer letter and the enclosed memoranda and proposed Administrative Order on Consent for explanations of the settlement options and payment instructions. Do not enclose a check with your signature page; please wait until you receive a letter with payment instructions.

SETTLEMENT OPTIONS

Darner Motor Sales, Inc. settlement payment is:

3.1697 tons x \$12,632 per ton =

\$40,039

If Darner Motor Sales, Inc. joins the expedited settlement, it will receive a **five percent** (5%) **discount**, reducing its settlement cost to:

\$38,037

Omega De Minimis Administrative Order on Consent Signature Page

Darner Motor Sales, Inc. for DARNER CHRYSLER

	, by	the
	[Respondent]	
-	uthorized representative named, titled and signed below, hereby consents to this nistrative Order on Consent and agrees to be bound by the terms and conditions	
Admin	instrative Order on Consent and agrees to be bound by the terms and conditions	mereor.
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	DNAL ENCLOSURES- Please check the appropriate box if you are filing e lowing optional applications:	either of
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	page) Application for volume review (see note on following page)	
	rippireamon for volume review (see note on following page)	
•	submit this signature page on time, and do not file either optional applicati	,
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_	are page on time with a completed application for volume review, and EPA polication, your settlement payment will also be reduced by 5% .	approves

NOTE REGARDING APPLICATION FOR FINANCIAL REVIEW TO QUALIFY FOR

REDUCED PAYMENT: If the Respondent chooses this option, Respondent must submit the signature page together with the required financial statements, supporting documents, and signed certification, as described in the Omega Site De Minimis Settlement Offer Letter and its enclosures. If the Respondent provides these materials, the Respondent will have 14 days in which to withdraw the signature page after the U.S. EPA notifies Respondent of the result of the U.S. EPA's financial review.

NOTE REGARDING APPLICATION FOR VOLUME REVIEW: If the Respondent chooses this option, Respondent must submit the signature page together with the required review form, copies of relevant manifests, other supporting documents, and the Respondent's signed certification, as described in the Omega Site De Minimis Settlement Offer Letter and its enclosures. If the Respondent provides these materials, the Respondent will have 14 days in which to withdraw the signature page after the U.S. EPA notifies Respondent of the result of the U.S. EPA's volume review.

generator_name	DARNER CHRYSLER
lc_name:	Darner Motor Sales, Inc.
lc_calc_volume:	3.1697 tons
manifest_number	manifest_quantity_ton
86176185	1.296 tons
86184061	0.52 tons
87478548	0.108 tons
87518020	0.4587 tons
87518030	0.125 tons
87518044	0.358 tons
87518055	0.304 tons

Wednesday, February 04, 2004

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	5. Transporter 2 Company Name 7. Transporter 2 Company Name	8. USEPAIDA 1/K1/2015111016 8. USEPAIDA	PHVB	Transporter is BC Quester's Phote (Transporter's BC)	
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DHS 8022 A (11/85) (EPA 8700-22)

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State of California-Health and Welfare Agency

White: TSDF SENDS THIS COPY TO DOHS WITHIN 30 DAYS To: P.O. Box 3000, Sacramento CA 95812

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State of	California-	-Health an	d Waltsra	AGEBOY

Department of Realth Services
Toxic Substances Control Division.
Sacramento, California Please print or type. (Form designed for use on alite (12-pitch) typewriter.)

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INSTRUCTIONS ON THE BACK

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Signed For By: J.SCHURZ



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Delivery Time: 1302

Shipping Information:

Tracking No: 640808390570 **Ship Date:** February 7, 2004

Recipient:

JOEL O. DARNER, II, PRESIDENT DARNER MOTOR SALES, INC. 837 WEST MAIN STREET MESA, AZ 85201

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